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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,038	05/23/2000	Mark Sean Hefty	219.38022X00	4371

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ARLINGTON, VA 22209

EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/07/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/576,038	HEFTY ET AL.
<b>Examiner</b>	<b>Art Unit</b>	
Tammy T Nguyen	2143	

**– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –**

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 23 May 2000.

2a)  This action is **FINAL**.                    2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-25 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-25 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 23 May 2000 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)      4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)      5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_      6)  Other: \_\_\_\_\_



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## Detailed Office Action

1. This action is in response to the application 09/576,038 filed. **May 23, 2000**
2. Claims **1-25** have been examined.

### *Claim Objection*

3. Applicants are required to spell out complete the term of NGIO and VI systems in claim 7.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6, 8-13, 15-20 and 22-25 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Leger et al., (USPN 5,771,356 – Date of Patent: June 23, 1998, herein referred to as “Leger”).

6. As to claim 1, Leger et al teaches the invention as claimed, including a method of transfer data in a networked system between a local memory in a local system and a remote memory in a remote system, the local memory including at least a first buffer and second buffer region, the method comprising:

receiving a remote direct memory access (RDMA) request (col.9, lines 32-65);  
associating the first buffer region with a first transfer operation (col.2, line 51 to col.3, line 13, and col.7, lines 40-63);  
determining whether a size of the first buffer region exceeds a maximum transfer size of the networked system (col.2, line 51 to col.3, line 13, col.8, lines 20-41);  
associating portions of the second buffer region with the first transfer operation if the determining determines that the size of the first buffer region is less than the maximum transfer size and associating portions of the second buffer region with a second transfer operation if the determining determines that the size of the first buffer exceeds the maximum transfer size (abstract, col.2, line 60 to col.3, line 13, col.9, lines 15-30, and col.9, line 47 to col.10 line 11);  
and  
performing the first transfer operation (col.7, lines 39-63).

7. As to claim 2, Leger teaches the invention as claimed, wherein the RDMA request relates to a read operation and the first transfer operation comprises transferring data from the remote memory to the local memory (col.3, lines 1-14, col.5, lines 53-65).

8. As to claim 3, Leger teaches the invention as claimed, wherein if the size of the first buffer region exceeds the maximum transfer size of the network system, then the first buffer region is also associated with the second transfer operation (col.2, lines 51-67, and col.8, lines 10-30, and col.9, lines 35-67).

9. As to claim 4, Leger teaches the invention as claimed, wherein the RDMA request relates to a write operation and the first transfer operation comprises transfer data from the local memory to the remote memory (col.9, lines 32-50)

10. As to claim 5, Leger teaches the invention as claimed, wherein if the size of the first buffer region exceeds the maximum transfer size of the networked system, then the first buffer region is also associated with the second transfer operation (col.9, lines 50-67, col.8, lines 20-40).

11. As to claim 6, Leger teaches the invention as claimed, wherein further comprising performing the second transfer operation between the local memory and the remote memory (col.8, lines 20-40, col.9, lines 15-65).

12. Claims 8-13,15-20 and 22-25 have similar limitations as claims 1-6; therefore, they are rejected under the same rationale.

***Claim Rejections - 35 USC § 103***

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 7, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leger et al., (hereinafter Leger) U.S. Patent No. 5,771,356 in view of Drottar et al., (hereinafter Drottar) U.S. Patent No. 6,170,025.

15. As to claim 7, Leger do not teach the invention as claimed, wherein the network system comprises one of an NGIO system, a VI system and an Infiniband system. However, Drottar teaches the network system comprises one of an NGIO system, a VI system and an Infiniband

system (col. 7, lines 57-67, col. 6, lines 24-55, and col. 17, lines 35-59). It would have been obvious at the time of the invention to select a particular set of formats depending on the needs a specific system.

16. Claims 14 and 21 have similar limitations as claim 7; therefore, they are rejected under the same rationale.

### *Conclusion*

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at (703) 305-7982. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 4:30 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding After Final issues, please send it to (703) 746-7238. If you need to send an Official facsimile transmission, please send it to (703) 746-7239. If you would like to send a Non-Official (draft) facsimile transmission the fax is (703) 746-7240. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, **David Wiley**, may be reached at (703) 308-5221.

Any response to this office action should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**. Moreover, hand-delivered responses should be delivered to the Receptionist, located on the **fourth floor of Crystal Park 11, 2121 Crystal Drive Arlington, Virginia**.



DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
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